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Energy and Technology Committee Hearing

February 23, 2010

Testimony of Shirley Bergert

Regarding SB 182, Sections 4 and 15

AN ACT CONCERNING REVISIONS TO THE UTILITY STATUTES

Section 4 Recommended Action: Adopt, and add language to ensure vulnerable electric and gas customers are protected during the winter moratorium. See suggested language below.

Section 4 amends CGS §16-262c(b)(1) by clarifying that a utility company may not deny electric utility service during the winter moratorium (Nov. 1 to May 1). This clarification is important to avoid the argument that "reinstatement" of service does not include utility service at a new apartment when a household has moved. The winter moratorium protects the life, health and safety of low income households. These households must enter into payment agreements if they have overdue bills or risk loss of service during warmer parts of the year where the danger of a lack of utility service is reduced.

- **Winter moratorium protections were never intended to only protect households who do not move during the winter months.** Low income households tend to be more mobile than the general population, largely because their limited incomes often mean they are living in substandard housing.

- **Without winter moratorium protections, a household could lose subsidized housing when unable to maintain utility service, a contract requirement.** Subsidized housing programs are critical to ensuring household stability for the poorest families. But the subsidies will be lost if the family cannot obtain utility services.

- **Households may have utility arrearages which will be covered by energy assistance.** These households may not be able to get energy assistance until service has been provided at a new address and they have an account number where benefits can be directed – energy assistance is paid directly to heat vendors. In some cases, there may be a pending application for energy assistance for which the household bears no responsibility for delays that could reduce or erase the arrearage that is used as the basis for denying utility service.



The protection afforded by section 4 should be extended to gas utility service for the same reasons it is appropriate for electric service. The following amendments would accomplish this:

... From November first to May first, inclusive, no gas company and no municipal utility furnishing gas shall terminate, deny or refuse to reinstate residential gas service in hardship cases where the customer uses such gas for heat and lacks the financial resources to pay his or her entire account, except a gas company that, between May second and October thirty-first, terminated gas service to a residential customer who uses gas for heat and who, during the previous period of November first to May first, had gas service maintained because of hardship status, may refuse to reinstate the gas service from November first to May first, inclusive, only if the customer has failed to pay, since the preceding November first, the lesser of: (A) Twenty per cent of the outstanding principal balance owed the gas company as of the date of termination, (B) one hundred dollars, or (C) the minimum payments due under the customer's amortization agreement. Notwithstanding any other provision of the general statutes to the contrary, no electric, electric distribution or gas company, no electric supplier and no municipal utility furnishing electricity or gas shall terminate, deny or refuse to reinstate residential electric or gas service where the customer lacks the financial resources to pay his or her entire account and for which customer or a member of the customer's household the termination or failure to reinstate such service would create a life-threatening situation.

Section 15, amending CGS §16-2, creating new section (f)(2). Recommended Action: Adopt.

Section 15 creates a new subsection (f)(2) to CGS §16-2 to authorize the Department of Public Utility Control (DPUC) chair to appoint a designee to serve as a member of a board or council created to facilitate initiatives on matters of public interest, including low-income energy assistance. The proposed language will help minimize disjointed policy development on a range of important issues as multiple agencies may have responsibilities for only limited aspects of addressing particular problems. This has been the case with meeting the needs of low income utility consumers.